

FILE NO.: Z-6860-D

NAME: Markham and Harrison Short-form POD

LOCATION: Located at 5300 West Markham Street

DEVELOPER:

Mr. Jim Irwin
1701 Centerview Drive, Suite 201
Little Rock, AR 72211

ENGINEER:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 0.63 acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

CURRENT ZONING: O-3, General Office District – Mid-town DOD

ALLOWED USES: General office

PROPOSED ZONING: POD

PROPOSED USE: Office

VARIANCE/WAIVERS: A variance to allow a reduction in the right of way required for Harrison Street, 'A' Street and West Markham Street and a variance to allow a reduced alley dedication for the internal alley extending from Harrison Street.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The project is located on the northwest corner of West Markham and Harrison Streets. The property is currently four (4) platted lots containing 0.6308-acres. The site contains two (2) office buildings, a paved parking lot and a single-family home. There is a platted alley which runs east/west through the site. The improvements include the removal of the existing structures and the construction of a new office building and associated parking on the site. The building is proposed containing 7,644 square feet of floor area. The plan includes the

placement of nine (9) parking spaces on the south side of the alley and the placement of 51-parking spaces north of the alley with two (2) drives proposed from 'A' Street.

The request includes a reduction in the required right of way dedication on Harrison Street, West Markham Street and 'A' Street. The existing right of way on Harrison and 'A' Streets is 50-feet. Based on the Boundary Street and Subdivision Ordinances a total right of way width of 60-feet, 30-feet from centerline is required. The request includes a reduction in the right of way required on West Markham Street. The applicant is seeking to maintain the existing right of way and not provide the radial dedications at the intersections of West Markham and Harrison Streets and Harrison and 'A' Streets. The request also includes a variance for the right of way dedication for the alley located within the development. The ordinance would typically require a 20-foot dedication for the alley. The existing alley is 15-feet in width.

B. EXISTING CONDITIONS:

The site contains two (2) office buildings a single-family residence and a paved parking lot. The uses in this area along West Markham Street are primarily non-residential uses and the uses along 'A' Street in this area are predominately residential. Across from the site on West Markham Street is the War Memorial Golf course, War Memorial Stadium and further south is the Little Rock Zoo.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has not received any comment from area residents. All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing. The Mid-town Advisory Board reviewed the request at their October 10, 2014, meeting. Due to a lack of information concerning the design elements of the proposed development and areas of compliance and non-compliance with the Mid-town DOD standards the Advisory Board voted to not take a position.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that North Harrison Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline. A variance must be requested for a reduction in right-of-way dedication.
2. West Markham Street is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 35-feet from centerline will be required.

3. A 20-foot radial dedication of right-of-way is required at the intersection of West Markham Street and North Harrison Street.
4. Due to the proposed use of the property, the Master Street Plan specifies that 'A' Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline.
5. A 20-foot radial dedication of right-of-way is required at the intersection of 'A' Street and North Harrison Street.
6. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.
7. Sidewalks with appropriate handicap ramps are required to be installed adjacent to 'A' Street in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
8. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
9. Sidewalks with appropriate handicap ramps are required to be installed along North Harrison Street in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
10. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Due to the driveway spacing requirements only one (1) driveway is allowed by code on 'A' Street. A variance must be requested for the 2-driveways.
11. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. On North Harrison Street, driveways should be spaced at least 250-feet from other driveways and intersections and 125-feet from side property lines. A variance must be requested for the drop-off driveways on North Harrison Street.
12. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Entergy does not object to the proposed building and there are no power lines in conflict. However, there is a 3-phase power line in the alley which will conflict with the screened dumpster location. Please work with Entergy for the final location of the dumpster or for potential relocation of the power lines.

Center-Point Energy: Please be advised that Centerpoint Energy owns and operates natural gas facilities within the alley between West Markham and 'A' Streets. Centerpoint Energy requests that this alley right-of-way be maintained, otherwise a utility easement be established. Centerpoint Energy insists "AR One Call" be called prior to any construction activities.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water if additional fire protection or metered water service is required.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.

8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.
9. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone backflow preventer shall be required.
10. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department: Fire hydrants per code, increase the alley 20-feet for access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: The area is currently served by CATA by Route #5, West Markham. The development consists of a planned office development. Since it appears there will be no curb cuts on West Markham Street CATA requests consideration of ADA accessible sidewalks at this location. If curb cuts are placed on West Markham Street CATA would request a pullout to enable buses to pullout of traffic to serve this location when improvements are made.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner: Building occupancy separations as per code will be required. Curtis Richey at 501.371.4724; crichey@littlerock.org or Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Office (O) for this property. The office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The applicant has applied for a rezoning from O-3 (General Office District) to POD (Planned Office District) to allow the development of an office building on this site. The site is within the Midtown Design Overlay District area.

Master Street Plan: West Markham Street is shown as a Minor Arterial and North Harrison Street is a Local Street on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary

function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on West Markham Street. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Midtown Overlay District.
2. When the structure is not built to the property line, landscaping is required in the area between the building and property line.
3. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ($\frac{1}{2}$) the full width requirement but in no case less than nine (9) feet. The property is located in the City's designated mature area. A twenty-five (25%) percent reduction of the buffer requirements is acceptable. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the City's landscape ordinance requirements.
 - a. A minimum 6.75-foot street buffer strip is required adjacent to the parking along the east property line.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. The property is located in the City's designated mature area. A 25% reduction of the perimeter requirements is acceptable.
 - a. A minimum 6.75-foot perimeter planting strip is required adjacent to the vehicular use area at the west property line.
5. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum of seven and one half ($7\frac{1}{2}$) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces. A 25% reduction of the interior green space requirements is acceptable.
6. A landscape irrigation system shall be required for developments of one (1) acre or larger.
7. Trees greater than fourteen (14) inches in diameter, measured at four and one-half (4.5) feet above the ground, shall be protected from removal and

damages in future development of the district. Any development within fifty (50) feet of any such tree shall be reviewed prior to development to assure protective measures are included and in place.

8. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (October 8, 2014)

Mr. Tim Daters of White-Daters and Associates was present. Staff presented an overview of the development stating there were a number of outstanding technical issues in need of addressing related to the proposed site plan as well as technical aspects of the Mid-town DOD which had not been addressed. Staff stated they would not go through the items one by one but did need Mr. Daters to respond to each of the items before the final analysis could be prepared.

Public Works comments were addressed. Staff stated right of way dedication was required on 'A' Street and North Harrison Street to meet the Master Street Plan requirements. Staff stated the site plan included a drop-off on North Harrison Street which would require a variance from the Master Street Plan and Boundary Street ordinances. Staff stated a grading permit was required with the redevelopment of the site. Staff stated a variance was required to allow the placement of two (2) drives on 'A' Street and to allow the location of the drives as proposed.

Landscaping comments were addressed. Staff stated the plan as presented did not comply with the Midtown DOD nor the City's Landscape ordinance. Staff stated to allow the landscaping as proposed on 'A' Street and the western perimeter of the parking lot would require a variance from the City Beautiful Commission.

H. ANALYSIS:

The applicant submitted a revised site plan based on comments raised at the October 8, 2014, Subdivision Committee meeting. The revised plan as eliminated the drop-off, eliminated one of the drives on 'A' Street, provide the required landscape strip along the property lines and indicated all the design criteria of the Mid-town DOD will be meet with the final development plan for the site.

The project is located on the northwest corner of West Markham and Harrison Streets. The site currently contains two (2) office buildings, a paved parking lot and a single-family home. There is a platted alley which runs east/west through the site. The improvements include the removal of the existing structures and the construction of a new office building and associated parking on the site. The plan indicates the construction of a single building containing 7,644 square feet or potentially two (2) buildings containing a maximum of 7,644 square feet.

The plan includes the placement of eight (8) parking spaces on the south side of the alley and the placement of 38-parking spaces north of the alley with a single drive from 'A' Street.

The request includes a reduction in the required right of way dedication on Harrison and 'A' Streets. The existing right of way is 50-feet. Based on the Boundary Street and Subdivision Ordinances a total right of way width of 60-feet, 30-feet from centerline is required. The applicant is requesting the reduction in the required right of way since north of 'A' Street the area becomes residential and a 50-foot right of way is typically required. The request also includes a reduction in the right of way dedication on West Markham Street. According to the applicant West Markham Street is functioning properly and additional right of way is not required to maintain traffic flows in the area. The applicant is also requesting to not provide the radial dedications of right of way at the intersections of West Markham and Harrison Streets and Harrison Street and 'A' Street. The request includes a reduction in the right of way dedication for the alley located within the development. The ordinance typically requires a 20-foot dedication for the alley. The existing alley is 15-feet in width. The site plan indicates the development will provide a minimum pavement width of 20-feet.

The site plan as presented includes landscaping along the western perimeter of the site. The landscape strip along Harrison Street, 'A' Street and the western perimeter are indicated at six feet nine inches (6'9"). Since the site is located within the Designated Mature Area of the City for landscaping a reduction in the landscape strip to six (6) feet nine (9) inches is allowed.

The site is located within the Mid-town Design Overlay District. Per the DOD the façade for new construction is to be a minimum of 60 percent glass-windows, entry features or displays. The applicant has indicated the final design elements of the building have not been completed but the new construction will fully comply with the DOD requirements. The primary façade of the building is to be oriented parallel with the street. The front of the building is located along West Markham Street. The applicant has stated there will be customer entrances and exits to the abutting streets with an employee entrances from the rear of the building. The building is proposed as a single story building. The applicant has indicated wall projections and recesses will be provided along the wall facades as required by the DOD. Arcades, display windows, entry areas or awnings will be placed along at least sixty percent of the façade as required by the DOD.

According to the applicant exterior building materials and colors will be aesthetically pleasing and compatible with materials and colors used in the neighboring developments. The predominate exterior building materials will be high quality materials such as brick, wood, stone, tinted stucco, EIFS, concrete masonry units. The façade colors will be low reflectant, subtle, neutral or earth

tone with trim and accents brighter colors. The predominant exterior building materials will not be smooth faced concrete block, tilt-up concrete panels or prefabricated steel panels.

Per the DOD the front building setback may be zero but will not be more than 20 feet. The site plan indicates the placement of a ten (10) foot building setback along West Markham Street. The building setback on Harrison Street is indicated at 14-feet. The western side yard setback is five (5) feet which is adjacent to office zoned and used property.

Per the DOD no more than one driveway per block face is permitted and driveways and parking lot entrances-exits are to be combined and where appropriate located in alleys. The site plan indicates the use of the alley for access to the proposed parking areas. There is one driveway located on 'A' Street. The plan does not provide protect pedestrian walkways through the parking lots and does not include pedestrian linkages through parking areas and to adjacent buildings or developments.

Per the DOD alleys are limited to 20-feet in width unless needed for emergency access vehicles. The fire department has requested the alley be constructed to a minimum of 20-feet in width to provide adequate maneuvering for emergency vehicle access. The alley is presently platted as a 15-foot alley. The applicant indicates a minimum pavement width of 20-feet will be provided.

Parking per the DOD is as allowed in Article VIII of the zoning ordinance. The maximum allowed parking is to be the minimum standard established by the zoning ordinance. Parking is based on the proposed use of the property. The applicant has indicated the end user for this development has not yet been determined but will most likely be a medical office user and/or surgery center. The applicant has indicated parking for these uses is typically greater than the zoning ordinance has established. The plan as presented provides for 46-parking spaces.

Per the DOD signage is limited to six (6) feet in height and 24-square feet in area for lots less than 1-acre. All signs must be monument signs. The applicant has indicated signage for the development will comply with signage allowed per the DOD.

Per the DOD landscaping and land use buffers are to be provided per typical ordinance requirements. The site plan as presented will comply with the minimum standards of the zoning and landscape ordinances. The buffer ordinance states buffering is required where adjacent to residentially zoned or

used property. There is a single-family home located along the western boundary of the proposed parking lot fronting on 'A' Street. Presently the dumpster is located within the western landscape strip. Staff recommends the dumpster be relocated outside the required landscape strip.

Staff is generally supportive of the request but is continuing to review the applicant's request for reductions in the right of way dedications. Staff will provide a update at the October 30, 2014, public hearing.

I. STAFF RECOMMENDATION:

Staff recommendation forthcoming.

PLANNING COMMISSION ACTION:

(OCTOBER 30, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item stating the applicant and staff had worked to resolve staff's concerns related to the right of way dedications. Staff stated there was no additional right of way required on West Markham Street. Staff stated the applicant had agreed to provide the 20-foot right of way required for the alley to comply with typical ordinance requirement. Staff stated the applicant had also agreed to provide the radial dedications on North Harrison at the intersections of West Markham and 'A' Streets. Staff stated the applicant had also agreed to construct a sidewalk along North Harrison Street for the entire frontage of the development. Staff stated they were supportive of the applicant's request for a reduction in the required right of way on North Harrison Street and on 'A' Street.

Staff stated the applicant had resolved staff's concerns related to the proposed development. Staff stated they were supportive of the request and presented a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the applicant's request for a reduction in right of way dedication for North Harrison Street and 'A' Street.

There was no further discussion of the item. The Chair entertained a motion for approval of the item, as presented by staff. The motion carried by a vote of 11 ayes 0 noes and 0 absent.